

DEC 15 2006

## **BEYER WEAVER & THOMAS, LLP**

INTELLECTUAL PROPERTY LAW  
500 12th Street, Suite 200, Oakland, CA 94607  
Telephone: (510) 663-1100 Facsimile: (510) 663-0920  
www.beyercrlaw.com

### **FACSIMILE COVER SHEET**

December 15, 2006

**Receiver:** Examiner Monique M. Wills  
**TEL #:**

**FAX #:** 571-273-8300

**Sender:** Natalie Morgan for:  
James E. Austin

**Serial No.** 10/772,157  
**Our Ref. No.:** PLUSP036

**Re:** Amendment and Response to Species Election Requirement

**Pages Including Cover:** 11

**Fax Contents:** Fax Cover Sheet- 1 page  
Amendment Transmittal- 1 page  
Amendment and Response to Species Election Requirement- 9 pages

**MESSAGE:**

---

**CONFIDENTIALITY NOTE**

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copying of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

---

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Visco et al.

Attorney Docket No.: PLUSP036

Application No.: 10/772,157

Examiner: Monique M. Wills

Filed: February 3, 2004

Group: 1745

**Title: ACTIVE METAL/AQUEOUS  
ELECTROCHEMICAL CELLS AND SYSTEMS****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on December 15, 2006.

Signed: \_\_\_\_\_

Natalie Morgan

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	66	MINUS	69	00	x 25 =	x 50 = 00
Independent Claims	2	MINUS	3	00	x 100 =	x 200 = 00
Multiple Dependent Claim Present and Fee Not Previously Paid						
Total					\$	\$00

- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.
- ☒ Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. PLUSP036).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

James E. Austin

Registration No. 39,489

P.O. Box 70250  
Oakland, CA 94612-0250

DEC 15 2006

---

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re application of: Visco et al.

Attorney Docket No.: PLUSP036

Application No.: 10/772,157

Examiner: Monique M. Wills

Filed: February 3, 2004

Group: 1745

Title: ACTIVE METAL/AQUEOUS  
ELECTROCHEMICAL CELLS AND  
SYSTEMS

---

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on December 15, 2006.

Signed: \_\_\_\_\_

Natalie Morgan

**AMENDMENT AND RESPONSE TO SPECIES ELECTION  
REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**Amendments to the Claims** are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.